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SUBJECT: IRELAND - 2006 ANNUAL ANTI-TRAFFICKING IN PERSONS
(TIP) REPORT

REF: SECSTATE 03836

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11. (SBU) Summary: The most significant trafficking development in Ireland in 2005 was an increase in government attention to the problem. The government formed a working group between the Department of Justice and the police and wrote legislation bringing Ireland into conformity with UN and EU regulations, which parliament likely will act on in 2006. The police launched several new investigations. These operations include: Operation Quest II to investigate brothels, Operation Hotel to coordinate action on trafficking on a nationwide basis, Operation Poppy to investigate the use of falsified Irish passports for trafficking and smuggling, and Operation Pentameter, a British operation the Irish agreed to join. The police also continued to train their officers about trafficking, including those in more rural areas. Public awareness of the problem also grew as parliament held a major hearing on the issue, and media attention increased.

Growing attention to trafficking accompanies Ireland's increasing awareness that its new wealth has brought significant demographic changes and new social problems. Once a poor nation characterized by large scale emigration, Ireland is now economically prosperous and an attractive destination for thousands of asylum and employment seekers. The unprecedented flow of people into Ireland has prompted the government to address issues relating to border control, residency rights, labor standards, and social inclusion.

There are no agreed figures on the number of trafficking cases in Ireland in 2005, and the difficulty of counting was a focus of the parliamentary hearing. The number of cases under police investigation is in the single digits. NGOs estimate that the actual number of cases might be slightly higher, with estimates ranging from 14 to 20. One NGO uses the looser definition of "presumed trafficking" and estimates the number of cases to be about 35 per year ("70 in the last two years" is

the figure this NGO used in parliament.) NGOs are concerned with two shifts in the sex industry in the last decade: the increase of non-national women, who they believe are more easily exploited, and the increasing tendency to move the sex trade off the streets and behind closed doors where it is harder to detect. With that in mind, the police launched Operation Quest 2 in 2005 with a focus on brothels.

12. (SBU) Post has engaged the Irish Government at the highest levels to stress Ireland's role in fighting European and global trafficking. We also have urged the government to develop a national action plan, and to promote awareness through media campaigns. The Ambassador, DCM, POL/ECON chief, and embassy political and economic officers discussed trafficking with the Departments of Foreign Affairs and Justice, the Health Service Executive, the Immigration Bureau, and local police as well as numerous NGOs. Post will continue to urge the GOI and NGOs to improve cooperation to identify, assess, and prosecute cases of trafficking. End Summary.

13. (SBU) The following items are keyed off reftel. Overview of a country's activities to eliminate trafficking in persons:

-- A. Is the country a country of origin, transit, or destination for international trafficked men, women, or children? Specify numbers for each group; how they were trafficked, to where, and for what purpose. Does the trafficking occur within the country's borders? Does it occur in territory outside of the government's control (e.g. in a civil war situation)? Are any estimates or reliable numbers available as to the extent or magnitude of the problem? Please include any numbers of victims. What is (are) the source(s) of available information on trafficking in persons or what plans are in place (if any) to undertake documentation of trafficking? How reliable are the numbers and these sources? Are certain groups of persons more at risk of being trafficked (e.g. women and children, boys versus girls, certain ethnic groups, refugees, etc.)?

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While there are no official estimates of the numbers of trafficking victims in Ireland, there are indicators and anecdotal evidence that Ireland might be a country of limited destination and transit for international trafficking victims. NGO estimates of actual trafficking cases vary between about 14 and 20. In July, Ruhama, an NGO working with victims, released its 2003-2004 biennial report on trafficking. It said that its case workers had met 70 women it "presumed" to have been trafficked during the two-year period of the report. According to Ruhama, most of their victims are identified as young women between 18 and 25 years of age. Ruhama reports that in identifying those most at risk of being trafficked, it looks for the following indicators: fear, evidence of control, recent arrival from Eastern Europe, Africa, Latin America or Asia, lack of English skills, signs of bruising or battering. They said to parliament that some of the women they count as "presumed trafficked" are women they know well; others are women with whom they have had limited contact. Other indicators of concern to NGOs and the Health Service Executive are situations of young women and minors with no English skills or social contacts in Ireland provided with mobile phones, unexplained money or clothes or directions to mysterious drop-off points for taxis. Ruhama believes that trafficking in Ireland is a more serious problem than senior government officials recognize.

Government officials work closely with Ruhama on the ground, but disagree with Ruhama's numbers, in part because of Ruhama's counting methodology. Police point to the results of Operation Quest (see our 2004 report), which they launched explicitly because of allegations of trafficking in the lap dancing industry. They found no evidence either when they ran the operation initially or when they ran a second series of raids on lap dancing clubs in September 2005, interviewing another 7 women. The women were interviewed under protected conditions and with interpreters. All claimed to be working in such clubs by choice. Many remained in contact with police subsequently, but none alleged trafficking. Police say that in addition to the operations and investigations they run, they look into every case NGOs bring to their attention and investigate any allegations of trafficking that they see in the media. Understanding that some of the women who turn to NGOs might be unwilling to pursue a legal case, the police have asked NGOs to encourage the women to at least talk to the police on an informal

basis so that police can learn more about the situation. In 2005, Operation Quest 2 began. This ongoing investigation is focused on brothels. Since August, Operation Quest police raided 12 brothels in Dublin and, according to press reports, are preparing "a number of cases" for prosecution.

In 2004, the national police (Garda) and the Police Service of Northern Ireland (PSNI) issued a joint report on organized crime throughout the island (the Republic of Ireland and the UK area of Northern Ireland) with results of their investigation into trafficking. The police services concluded that there is no indication of a present danger of human trafficking, but there are clear indications of smuggling, most typically from Northern Ireland to the Republic of Ireland, and violations of labor and immigration law.

In regards to trafficking for labor exploitation, the Migrant Rights Center of Ireland says that it has no concrete numbers, but sees non-nationals from Bangladesh, India, Pakistan, Ukraine, and Moldova on a weekly basis who may be trafficking victims. It is uncertain if such victims were trafficked or if their employers are guilty of non-trafficking labor violations.

In February, an official with the Health Services Executive (HSE) commented on a recent trend in relation to suspicions of trafficking of children. According to her, since October, eight Romanian minors, who entered Ireland on late or weekend flights and were referred to the HSE disappeared before the HSE could provide social services to them. Typically, in such cases, HSE suspects smuggling for the purposes of family reunification. However, simultaneously, the HSE has noticed a

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similar pattern of unaccompanied Somali children entering Ireland. In a interview with one of the children, the HSE learned that the child's parents paid for him to enter Ireland for the purpose of underage labor

-- B. Please provide a general overview of the trafficking situation in the country and any changes since the last TIP Report (e.g. changes in direction). Also briefly explain the political will to address trafficking in persons. Other items to address may include: What kind of conditions are the victims trafficked into? Which populations are targeted by the traffickers? Who are the traffickers? What methods are used to approach victims? (Are they offered lucrative jobs, sold by their families, approached by friends of friends, etc.?) What methods are used to move the victims (e.g., are false documents being used?).

Police and NGOs report little change in the trafficking situation in 2005 as compared to 2004. They confirm that the women they talked to during Operation Quest tended to be on a European circuit. Those from new EU states can enter without a visa. Police believe many enter from Northern Ireland and stay in one location for six to nine months before circulating to another European country. When interviewed, they indicated that they traveled voluntarily. To a lesser extent, people travel from Africa, South America and Asia. The traffickers are presumed to be agents who facilitate the movement of the victims, and arrange for their employment and accommodation in brothels. The traffickers, or pimps, also reportedly solicit clients via text and voice mobile phone contacts and the use of the Internet. Garda National Immigration Bureau (GNIB) officials suspect some use of fraudulent documentation in cases involving victims from West Africa and non-EU East European nations.

-- C. What are the limitations on the government's ability to address this problem in practice? For example, is funding for police or other institutions inadequate? Is overall corruption a problem? Does the government lack the resources to aid victims?

Immigration into Ireland, including illegal immigration, is a relative new phenomenon, so the government has only recently put into place the necessary staff, resources, and procedures to deal with this increased flow. Beyond basic budgetary concerns, there is no unique limitation of resources to address trafficking. Irish police and border authorities are competent and well-run. Various sources from government to non-governmental officials report that the legislation needs to be updated. Current law does not clearly define trafficking but rather merges trafficking and smuggling. This complicates efforts to count trafficking cases. Moreover, the law was drafted with smuggling in mind

According to the GOI, new legislation has been drafted that will bring Ireland into conformity with UN, EU and COE regulations, and give police more precise legal tools. GOI officials say it likely will be introduced to parliament in 2006.

-- D. To what extent does the government systematically monitor its anti-trafficking efforts (on all fronts -- prosecution, prevention and victim protection) and periodically make available, publicly or privately and directly or through regional/international organizations, its assessments of these anti-trafficking efforts?

The government describes its efforts to monitor trafficking as many faceted. It is actively engaged in international organizations dealing with trafficking, including the UN, EU, and OSCE; works bilaterally with countries that are transit or source countries of the sex industry; and works closely with Irish NGOs. The GNIB works under the Irish National Police but carries out its immigration functions on behalf of the Minister of Justice. This system ensures a sharing of information among immigration policy makers, immigration officers, and national police. A GNIB representative, in addition to representing Ireland at the EU Border Agency in Warsaw, participates in an information-sharing forum of NGOs working to combat trafficking and to deter violence against women. The government does not specifically track, and

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therefore does not publish, trafficking statistics. In October, at Post's suggestion, the government established an anti-trafficking working group. This group includes officials from the Department of Justice, Equality and Law Reform, and the police.

PREVENTION:

-- A. Does the government acknowledge that trafficking is a problem in that country? If no, why not?

The Irish Government acknowledges that there is anecdotal information about Ireland as a possible destination and transit country for trafficking. It has not found evidence that the problem presently exists in any measurable scale. It actively investigates allegations of trafficking.

-- B. Which government agencies are involved in anti- trafficking efforts and which agency, if any, has the lead?

Agencies of the Irish National Police (Garda) are primarily responsible for operational anti-trafficking efforts. The Department of Justice creates trafficking legislation and provides support to the police. The Garda National Immigration Bureau is responsible for all matters pertaining to immigration. Within the National Support Services, the National Bureau of Criminal Investigation has responsibility for investigations of trafficking in human beings.

In conjunction with the GNIB, the Departments of Justice and Foreign Affairs participate in regional and international conferences on trafficking. The Department of Foreign Affairs also is engaged through development assistance, EU, COE and OSCE obligations, and the co-sponsorship of resolutions at the UN and UNHCR.

-- C. Are there, or have there been, government-run anti- trafficking information or education campaigns? If so, briefly describe the campaign(s), including their objectives and effectiveness. Do these campaigns target potential trafficking victims and/or the demand for trafficking (e.g. "clients" of prostitutes or beneficiaries of forced labor).

In February 2006, the Irish government announced that it would join the UK's Operation Pentameter, a law enforcement effort that targets organized criminal gangs that are involved in trafficking. One part of the operation will be a poster campaign in different languages designed to encourage the victims of sex trafficking to call a help-line. The effort will also request men who use prostitutes to report, on a confidential basis, if they come across women they believe

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are being held against their will.

This a welcome first step, and Embassy officials continue to urge the government to launch a concerted public information campaign against trafficking, citing the government's effective public information campaigns against drunk driving and HIV/AIDS as good examples. In September 2004, the Irish Department of Justice and the national police launched a website, <http://ie.missingkids.com>, dedicated to locating missing children, most of whom are non-nationals and arrived in Ireland as unaccompanied minors seeking asylum. The main police website, <http://www.garda.ie/angarda/missing.html>, also provides a list of missing individuals, most of whom are non-national, young and otherwise vulnerable for trafficking.

Recently, one of the Ruhama staff members moved from her position as a case worker with prostitutes to full time media work. Her new task is to increase the awareness of the issue of trafficking in Ireland. She actively campaigns against lap-dancing clubs and conducts interviews through a variety of media outlets. Her campaign has resulted in the increase of trafficking awareness in Ireland. Police say they actively

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investigate allegations made in the media.

-- D. Does the government support other programs to prevent trafficking (e.g., to promote women's participation in economic decision-making or efforts to keep children in school.) Please explain.

In 2005, the International Organization of Migration (IOM) organized a training conference on trafficking in Dublin which brought together representatives of border guards, customs officials and immigration liaison officers from 13 European countries as well as Irish officials. One of the key speakers of at this conference was an official with the government's Health Service Executive, head of the Unaccompanied Minors Section, who spoke on the "Identification and Protection of Child Victims of Trafficking." She also traveled to Nigeria on an IOM-funded trip to discuss trafficking with Nigerian government officials.

The Irish Government co-funds IOM's "Return and Reintegration" program, which is designed to reunite families divided by migration. The Garda established a Garda Racial and Intercultural Office to train the police to effectively interact with the new minorities that have immigrated to Ireland in recent years. The training focuses on gaining the trust of minority communities and encouraging community members to approach the police and report crime.

The UNHCR's representative in Ireland recently cited "Ireland's leadership during the recent OSCE expert meeting on trafficking and child victims" and said this "is an indication of how the issue is seen as a growing concern and how Ireland is willing to be at the forefront in examining and trying to address it."

-- E. What is the relationship between government officials, NGOs, other relevant organizations and other elements of civil society on the trafficking issue?

All NGOs report excellent working relationships with the police and the government, with whom they deal on a regular basis. Police and Immigration officials regularly refer potential victims of trafficking to various NGOs. NGOs, while desiring more comprehensive legislation, strongly commend the initiative of individual law enforcement and government officials, and salute cooperation with the government, especially at the operational level. Most NGOs felt that the government would not take more action unless trafficking became more prevalent and public concern grew. All NGOs agreed the government should provide more victim support to trafficking victims and more support and supervision for unaccompanied minors.

The Immigration Division of the Department of Justice, Equality and Law Reform works closely with the GNIB to combat illegal immigration. To facilitate the tracking of potential victims, the GNIB shares its immigration database with local police precincts and a UK immigration official posted to the GNIB headquarters. Cooperation and coordination with NGOs takes place through direct contacts between the Irish government and the relevant NGOs. Ireland en Route (IER) is a loose network of government agencies, NGOs, academics and other experts who meet three times per year to communicate on topics such as training for

police, EU and domestic legislation, best practices and other trafficking issues. It is not a national action plan or task force, but does facilitate the coordination of anti-trafficking efforts.

The Department of Justice, Equality and Law Reform consulted widely with transportation companies prior to the introduction of legal sanctions in the Immigration Act, 2003. This Act followed the 2001 creation of a voluntary Code of Practice with the Irish Road Haulage Association to encourage greater vigilance in ensuring that covert passengers were not present in vehicles arriving in Ireland.

-- F. Does it monitor immigration and emigration patterns for evidence of trafficking? Do law enforcement agencies screen for potential

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trafficking victims along borders?

Yes, the government monitors its borders and immigration and emigration patterns for evidence of trafficking, and law enforcement agencies respond appropriately to such evidence. Immigration officers are present at all air and seaports within the state. In 2003, a new information technology system equipped with a passport reader and facial recognition technology was introduced to allow immigration officers at the border to link-up with a database at GNIB headquarters in Dublin. Immigration officials also take fingerprints of most visitors entering the country who have entry visas. Ireland has a land border with Northern Ireland that is difficult to monitor due to numerous unmanned crossing points, and police on both sides of the border say this is the predominant crossing point for illegal immigrants. An estimated 12,000 illegal movements take place at the border with Northern Ireland every year. Immigration officers from the GNIB and from local districts monitor certain crossing points periodically.

-- G. Is there a mechanism for coordination and communication between various agencies, internal, international, and multilateral on trafficking-related matters, such as a multi-agency working group or a task force? Does the government have a trafficking in persons working group or single point of contact? Does the government have a public corruption task force?

Ireland's international and multilateral coordination on trafficking occurs primarily through its participation in the EU, UN, OSCE, and COE. The Department of Foreign Affairs has the lead, and coordinates Ireland's participation with all relevant ministries. Internally, there are several coordination mechanisms, some formal and others informal. In 2005, the government named an official in the Department of Justice to lead a working group, bringing together all offices in DoJ and the police with a role in countering trafficking. Operation Hotel, launched in 2005, is designed to improve nationwide law enforcement cooperation on trafficking. De facto law enforcement coordination exists as a result of the multiple functions of the GNIB. The GNIB works under the direction of the Garda, but its immigration function is carried out on behalf of the Minister of Justice. This ensures constant contact between immigration policy makers, immigration police and regular police. At the policy level, officials from different agencies coordinate their actions on an as-needed basis.

-- H. Does the government have a national plan of action to address trafficking in persons? If so, which agencies were involved in developing it? Were NGOs consulted in the process? What steps has the government taken to disseminate the action plan?

The government does not currently have a plan exclusively to address trafficking.

INVESTIGATION AND PROSECUTION OF TRAFFICKERS:

For questions A-D, posts should highlight in particular whether or not the country has enacted any new legislation since the last TIP report.

-- A. Does the country have a law specifically prohibiting trafficking in persons--both trafficking for sexual exploitation and trafficking for non-sexual purposes (e.g. forced labor)? If so, what is the law? Does the law(s) cover both internal and external (transnational) forms of trafficking? If not, under what other laws can traffickers be

prosecuted? For example, are there laws against slavery or the exploitation of prostitution by means of coercion or fraud? Are these other laws being used in trafficking cases? Are these laws, taken together, adequate to cover the full scope of trafficking in persons? Please provide a full inventory of trafficking laws, including civil penalties, (e.g., civil forfeiture laws and laws against illegal debt).

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There are presently five Laws that deal with trafficking in persons - The Immigration Act 2003, The Illegal Immigrants (Trafficking) Act, 2000, The Child Trafficking and Pornography Act, 1998, The Proceeds of Crime Act, 1996 and The Criminal Law (Sexual Offenses) Act of 1993. Under current Irish law, "trafficking" encompasses both smuggling and trafficking.

The Immigration Act requires carriers operating aircraft, ferries, or other vehicles bringing persons to Ireland from any area except the Common Travel area between Ireland and the UK, to ensure that those passengers are in possession of the necessary immigration documentation. The Act provides for a fine for passengers traveling with inadequate documentation.

In addition, the Act requires Government Departments, local authorities health boards, the police, and the Refugee Applications determination bodies to share information on non-nationals, including applicants for refugee status, in order to ensure compliance with laws relating to their entry, residence, and removal from the State.

The Illegal Immigrants (Trafficking) Act, 2000 made it an offense for a person to organize or knowingly facilitate the entry into the State of person whom he knows to be, or has reasonable cause to believe to be, a illegal immigrant or person who intends to seek asylum. While this law more correctly describes smuggling, a trafficker would also be subject to this law. Section 2 of this Act would apply most readily to traffickers, as it specifically prohibits bringing in illegal immigrant for the financial gain of those facilitating the entry. The penalty on conviction of indictment for this offense is an unlimited fine, or up to 10 years imprisonment, or both. The penalty for a guilt plea, however, is a maximum of 12 months incarceration and a fine not to exceed euro 1,500.

The Child Trafficking and Pornography Act makes it an offense, inter alia, to organize or knowingly facilitate the entry into, transit through, or exit from the State of a child for the purpose of sexual exploitation, or to provide accommodation to such a child while in the State. The maximum penalty is life imprisonment.

The Proceeds of Crime Act allows for the confiscation of assets of those involved in criminal activity, including trafficking in people. In addition, the assessment of tax liability on the illegal earnings may be pursued.

The Criminal Law (Sexual Offenses) Act of 1993 prohibits and penalizes those found soliciting or importuning for the purpose of prostitution. The act also penalizes those controlling or directing the activities of a prostitute, organizing prostitution by controlling or directing the activities of more than one prostitute for the purpose of prostitution, or compelling or coercing a person to be a prostitute.

The Department of Justice, Equality and Law Reform is currently in the stages of drafting and updating laws against trafficking that promise to be more comprehensive. Officials hope to have the new legislations passed by the end of 2006. The laws, if passed, will make it a criminal offense to traffic children into or out of Ireland for the purpose of labor or sexual exploitation and will also focus on the liability of carriers in their transport of such victims.

-- B. What are the penalties for traffickers of people for sexual exploitation? For traffickers of people for labor exploitation?

The one crime of trafficking covers both offenses. If the circuit court deals with a case, then the penalty can include up to a 1,500 euro fine and 12 months in jail. If a case is appealed to the district court, the the penalty is a maximum of ten years imprisonment. There is no cap on the fine.

-- C. What are the penalties for rape or forcible sexual assault? How do they compare to the penalty for sex trafficking?

Under Irish Law, the maximum sentence possible for rape is life imprisonment (eight years is the average sentence), and the maximum possible sentence for aggravated sexual assault is life imprisonment. This is similar to the penalty for Child Trafficking as provided for in the Child Trafficking and Pornography Act 1998.

-- D. Is prostitution legalized or decriminalized? Specifically, are the activities of the prostitute criminalized? Are the activities of the brothel owner/operator, clients, pimps, and enforcers criminalized? Are these laws enforced? If prostitution is legal and regulated, what is the legal minimum age for this activity? Note that in many countries with federalist systems, prostitution laws may be covered by state, local, and provincial authorities.

Prostitution itself is not illegal under Irish law, but it is an offense to solicit another person for the purposes of prostitution or to be involved in organized prostitution. Brothels are illegal, but according to police, are defined as establishments of two or more women made available for prostitution. According to the police officer in charge of Operation Quest, traffickers may be legally circumventing the law by exploiting young women as prostitutes, one at a time per apartment or flat, in eight to ten hour shifts.

-- E. Has the Government prosecuted any cases against traffickers? If so, provide numbers of investigations, prosecutions, convictions, and sentences, including details on plea bargains and fines, if relevant and available. Are the traffickers serving the time sentenced? If no, why not? Please indicate whether the government can provide this information, and if not, why not? (Note: complete answers to this section are essential. End Note)

In December 2004, Dublin courts sentenced a Portuguese man to prison for nine months and fined him 1,000 euro for attempting to traffic two Brazilian women. He was the first person to be convicted of trafficking in Ireland. In January 2005, the GNIB charged a Nigerian-born Irish citizen under trafficking laws for attempting to bring 12 Mauritian nationals into the country. In July, a judge sent the case to the Circuit Criminal Court and his trial is listed for July 2006. The man is currently released on a 10,000 euro bail bond. According to the government, the available information indicates that the Mauritians were traveling to Ireland for the purpose of obtaining employment. It is likely, that though charged with trafficking, the man may be prosecuted for facilitating illegal entry/smuggling instead of trafficking.

In January, a journalist reported that a young woman approached the police and revealed that she was held in a house and forced into prostitution. According to the report, she also complained that her passport was taken from her and kept by a man who lives among the immigrant worker community. Police responded to her complaint and searched the house of the man that the woman identified as her trafficker. This search verified her complaint regarding her passport, and the police instructed the man not to leave Ireland. The woman was given alternative accommodation away from the investigation site. According to the national police, this and other investigations of trafficking are ongoing.

In February 2006, police raided a farm in a town in County Carlow that was suspected of running a series of brothels via a call center operation. This case is still under investigation.

-- F. Is there any information or reports of who is behind the trafficking? For example, are the traffickers freelance operators, small crime groups, and/or large international organized crime syndicates? Are employment, travel, and tourism agencies or marriage brokers fronting for traffickers or crime groups to traffic individuals

Are government officials involved? Are there any reports of where

profits from trafficking in persons are being channeled? (e.g. armed groups, terrorist organizations, judges, banks, etc.)

The limited trafficking that may occur is believed to involve criminals with international links. Some anecdotal reports indicate that agents may be hired by lap dancing clubs to find young women from European sex industry circuits and facilitate their entry into Ireland. NGOs report that, though highly organized, there is no centralized trafficking. There are no allegations of involvement by government officials.

A police official said that he suspects there may be some organized criminal involvement in terms of trafficking victims to their respective ethnic communities, such as Chinese Triad involvement in the Chinese community. There is only anecdotal evidence to support this.

-- G. Does the government actively investigate cases of trafficking? (Again, the focus should be on trafficking cases versus migrant smuggling cases.) Does the government use active investigative techniques in trafficking in persons investigations? To the extent possible under domestic law, are techniques such as electronic surveillance, undercover operations, and mitigated punishment or immunity for cooperating suspects used by the government? Does the criminal procedure code or other laws prohibit the police from engaging in covert operations?

The GOI does actively investigate alleged cases of trafficking. When there is suspicion of trafficking, the Government responds appropriately. Operation Quest was a case in point, in which police thoroughly questioned those involved in raids to determine if they were trafficking victims, and maintained contact in subsequent months. Operation Quest resulted in the closings of several lap-dance clubs. Even though the underlying motive for the investigations was suspicion of trafficking, no victims claimed to be trafficked, and police prosecuted only for work permit violations and prostitution violations.

In November police initiated Operation Hotel, an effort that, with cooperative assets from the Criminal Assets Bureau, the police fraud unit, the National Bureau of Criminal Investigations and the Garda National Immigration Bureau, investigates allegations of trafficking nationwide. Since its inception, police have arrested three individual on non- trafficking related offenses. Police plan to merge the activities of Operations Hotel and Quest in the near future.

Also, in 2005, police established Operation Poppy to prevent the illegal use of Irish passports in smuggling or trafficking instances. In one case, investigations revealed the use of 13 Irish passports in efforts to smuggle Romanians into the country.

-- H. Does the government provide any specialized training for government officials in how to recognize, investigate, and prosecute instances of trafficking?

The government provides training in country and sends officials to seminars and conferences abroad. Some examples follow:

--Law enforcement personnel receive specialized training in country, including from NGOs. Notably, Irish officials participated in the previously mentioned Dublin IOM trafficking conference in September.

--Irish law enforcement organizations take part in European-wide conferences on the prevention of organized exploitation of women and children and are part of the Interpol Working Group on Trafficking in Human Beings. This group developed a manual of best practices for investigators that provides practical guidelines for investigators and structured way to locate advice on a specific issue

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--In 2004, the Irish Department of Foreign Affairs sent officials to attend the OSCE conference on "Ensuring Human Rights Protection in Countries of Destination: Breaking the Cycle of Trafficking."

--Also in 2004, GOI officials attended the Curriculum Development on Combating Trafficking in Human Beings at the Geneva Center for Security

Policy.

--I. Does the government cooperate with other governments in the investigation and prosecution of trafficking cases? If possible, can post provide the number of cooperative international investigations on trafficking?

The GOI does cooperate with other governments in the investigation of prosecution of trafficking victims. Ireland has established operational cooperation with immigration and police authorities in the United Kingdom, Spain, the Netherlands, and France, major transit points for illegal immigration into Ireland, with a particular focus on trafficking and smuggling activity. Garda liaison officers are also assigned to Russia and China to interact with local law enforcement authorities on immigration and trafficking matters. Additionally, the GNIB liaises with carrier companies whose routes may be vulnerable to traffickers.

-- J. Does the government extradite persons who are charged with trafficking in other countries? If so, can post provide the number of traffickers extradited? Does the government extradite its own national charged with such offenses? If not, is the government prohibited by law from extraditing its own nationals? If so, what is the government doing to modify its laws to permit the extradition of its own nationals?

The Irish Government can extradite its own nationals to countries that have a reciprocal agreement with Ireland, but there have been no trafficking-related extraditions to date.

-- K. Is there evidence of government involvement in or tolerance of trafficking, on a local or institutional level? If so, please explain in detail.

There is no evidence of government involvement in or tolerance of trafficking, on a local or institutional level.

-- L. If government officials are involved in trafficking, what steps has the government taken to end such participation? Have any government officials been prosecuted for involvement in trafficking or trafficking related corruption? Have any been convicted? What actual sentence was imposed? Please provide specific numbers, if available.

There is no evidence of government involvement in trafficking.

-- M. If the country has an identified child sex tourism problem (as source or destination), how many foreign pedophiles has the government prosecuted or deported/extradited to their country of origin? Does the country's child sexual abuse laws have extraterritorial coverage (like the U.S. PROTECT Act)?

Ireland does not have an identified child sex tourism problem. The GOI has authority to deport non-national pedophiles according to the strictures of its extradition treaty with the country of origin of the arrested individual.

-- N. Has the government signed, ratified, and/or taken steps to implement the following international instruments? Please provide the date of signature/ratification if appropriate.

--ILO Convention 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labor.

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--ILO Convention 29 and 105 on forced or compulsory labor.

--The Optional Protocol to the Convention on the Rights of the Child (CRC) on the sale of children, child prostitution, and child pornography.

--The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention Against Transnational Organized Crime.

ILO Convention 182 was ratified on December 12, 1999.

ILO Convention 29 was ratified on June 11, 1958.

ILO Convention 105 was ratified on March 2, 1931.

The Optional Protocol to the Convention on the Rights of a Child was signed on September 7, 2000, and ratifying legislation is pending.

The Protocol to Prevent, Suppress, and Punish Trafficking in Persons was signed in December 2000, and ratifying legislation is pending.

PROTECTION AND ASSISTANCE TO VICTIMS:

-- A. Does the government assist victims, for example, by providing temporary to permanent residency status, relief from deportation, shelter and access to legal, medical and psychological services? If so please explain. Does the country have victim care and victim health care facilities? If so, can you provide the number of victims placed in these care facilities?

The GOI provides care for separated children seeking asylum. The Department of Health receives referrals from Immigration Officials and the Office of the Refugee Applications Commissioner. The Health Service Executive is responsible for the care of children (17 and younger) and provides social, medical, psychological, and educational services as well as family reunification when possible. In 2005, 643 unaccompanied children that requested asylum were referred to the Eastern Region Health Services Executive (HSE). The HSE estimates that approximately 30 other unaccompanied minors requested asylum elsewhere in the country.

The national police report that suspected victims of trafficking/smuggling are referred to humanitarian NGOs, such as Ruhama or the International Organization for Migration for care. NGOs in Ireland provide food, shelter, social and medical care, and legal assistance if desired. NGOs occasionally help in cases of deportation.

Police and NGOs report that some women turn to NGOs for temporary assistance, only to disappear and return to the sex industry elsewhere on the European circuit.

-- B. Does the government provide funding or other forms of support to foreign or domestic NGOs for services to victims? Please explain.

The government provides support in terms of funds and personnel to Ireland En Route and co-funded IOM's 2003 Trafficking in Unaccompanied Minors in Ireland report. The government also provided funding to organizations like the International Organization for Migration, SPIRAS (an NGO that deals with victims of torture), and the Immigrant Council of Ireland, that do not specifically address trafficking, but occasionally may work with trafficking victims.

In 2005, Ruhama reported that the government allocated 20,000 euro for victim support, specifically earmarked as funds to cover expenses while victims await court appearances. According to press reports, between 2002 and 2005, Ruhama received 381,000 euro from the Department of

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Justice to undertake the Next Step Initiative. The purpose of this project was to develop a model of intervention, based on research, which would provide access to education or work for women involved in prostitution. A further 275,000 euro per year comes from the Probation and Welfare Service who refer former prostitutes to Ruhama's services.

In its 2003-2004 biennial report, Ruhama reported that it received over 600,000 euro in annual government grants, including the amount from the Probation and Welfare Service, for the social services that it provides. Figures for 2005 are not yet available.

Development Cooperation Ireland (the development agency within the Department of Foreign Affairs) provided euro 200,000 to the ILO-created Special Action Programme to Combat Forced Labour (SAP-FL), designed to help EU Member States tackle the forced labor outcomes of trafficking.

Funding for 2005 and 2006 increased to euro 400,000 per annum.

-- C. Is there a screening and referral process in place, when appropriate, to transfer victims detained, arrested or placed in protective custody by law enforcement authorities to NGOs that provide

short- or long-term care?

Police regularly make referrals to Ruhama and other NGOs, who then provide women with care and support.

-- D. Are the rights of victims respected, or are victims also treated as criminals? Are victims detained, jailed, or deported? If detained or jailed, for how long? Are victims fined? Are victims prosecuted for violations of other laws, such as those governing immigration or prostitution?

NGOs report that women suspected of being trafficking victims are generally treated well, but there have been instances in rural areas where police, unfamiliar with the trafficking phenomenon, have initially detained women in prison. Alleged victims have also been held in jail until the courts were satisfactorily able to determine their true identity.

Ireland is a signatory to the EU's Framework Decision on the Standing of Victims in Criminal Proceedings to harmonize the treatment of victims of crime across the EU. GOI implementing legislation requires the police to show special sensitivity in relations to victims of sexual offenses.

-- E. Does the government encourage victims to assist in the investigation and prosecution of trafficking? May victims file civil suits or seek legal action against the traffickers? Does anyone impede the victims' access to such legal redress? If a victim is a material witness in a court case against the former employer, is the victim permitted to obtain other employment or to leave the country? Is there a victim restitution program?

NGOs report that the police encourage women to assist in investigations but do not pressure them to do so. Victims may file suit, but as non-nationals and in many cases, non-English speakers working in illegal or questionable jobs, the judicial processes may be intimidating. The case brought forth must be ironclad, which is rare in trafficking, or the victim may not be able to retain counsel. The victim must be able to post bond for filing suit, and if she loses the case, must pay the legal costs of the winner. If a victim is in violation of immigration law, she is also subject to immediate deportation.

-- F. What kind of protection is the government able to provide for victims and witnesses? Does it provide these protections in practice? What type of shelter or services does the government provide? Does it provide shelter or any other benefits to victims for housing or other resources in order to aid the victims in rebuilding their lives? Where are child victims placed (e.g. in shelters, foster-care type systems or juvenile justice detention centers)?

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The government has a witness protection program but has not applied it to trafficking cases thus far. Both the government and NGOs provide shelter to people in need, but there are no shelters specifically earmarked for victims of trafficking or smuggling. Unaccompanied minors who enter the country are deemed as vulnerable, and at risk to be picked up by traffickers. These children are housed in government centers and in some cases, hostels where there is no supervision after hours. In 2004, approximately 60 such children, under the care of the government went missing. In 2005, approximately 64 went missing. The government located only 11 of these children; one of which was found in the United Kingdom.

-- G. Does the government provide any specialized training for government officials in recognizing trafficking and in the provision of assistance to trafficked victims, including the special needs of trafficked children? Does the government provide training on protections and assistance to its embassies and consulates in foreign countries that are destination or transit countries? Does it urge those embassies and consulates to develop ongoing relationships with NGOs that serve trafficked victims?

Social workers, members of the Special Unaccompanied Minors Unit in the Dublin Health Service Executive, the GNIB, national police, and staff of the Refugee Applications Commissioner are trained to spot possible

trafficking victims. The GNIB works closely with UK counterparts to review and track cases of suspected trafficking and employs an exchange program of officials with the UK to further bilateral cooperation in the field of immigration. While DFA officials participate in international conferences and training sessions, the diplomatic corps as a whole is not specifically trained regarding assistance or support for trafficking victims.

-- H. Does the government provide assistance, such as medical aid, shelter, or financial help, to its repatriated nationals who are victims of trafficking?

N/A

-- I. Which international organizations or NGOs, if any, work with trafficking victims? What type of services do they provide? What sort of cooperation do they receive from local authorities?

There are several smaller NGOs, particularly minority or immigration rights NGOs, who may indirectly come into contact with trafficking victims. However, the most active organizations are:

- Ruhama - Ruhama provides support to prostitutes and women suspected of having been trafficked for sexual exploitation.

Ruhama provides emergency accommodation, if possible, social and psychological support, referrals to health and legal authorities, and assistance in accessing educational and employment opportunities.

- International Organization for Migration, Dublin) In relation to trafficking, IOM carries out information campaigns, provides counseling services, conducts research on trafficking, provides government funded training to Irish officials, and assists victims who willingly want to return to his or her home country.

- Ireland En Route - Ireland En Route is a Forum on Trafficking of Women and Children for Sexual Exploitation. This is a multi-agency group comprised of Health Service representatives, police, members of the GNIB, and GOs. The forum was set up in 2000 to raise awareness and address some of the issues associated with trafficking of women and children for sexual exploitation. It also attempts to disseminate trafficking information within the group and with other organizations.

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-Migrant Rights Center Ireland- The Migrant Rights Center Ireland is a Human Rights advocate for migrant workers and their families. The organization provides information on rights to migrants and lobbies the government to change the laws and policies that affect these workers.

14. (U) Point of Contact for this report is Pol/Econ Officer Tom Rosenberger, office phone 353-1-630-6275 , fax number 353-1-667- 0056, e-mail RosenbergerTM@state.gov.

15. (U) The number of hours spent compiling this report by embassy employee is as follows:

Name, rank and time spent:
Ambassador James Kenny, FA-NC) 4 hours
DCM Jonathan Benton, FS-01) 7 hours
POL/ECON Chief Mary Daly, FS-01) 25 hours
Economics Officer Joe Young, FS-02 - 2 hours
POL/ECON officer Tom Rosenberger, FS-04 - 70 hours
POL/ECON OMS Tim Markley, FS-06 hours

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